

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MICHAEL FOSTER, ASHLEY
FOSTER, JOSHUA DOTMAN and SPENCER
CAMPBELL, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

WILLIAM CAMPBELL,

Respondent-Appellant,

and

JODY FOSTER, ROBERT DOTMAN, and
JEFFREY ALLAN MILLER,

Respondents.

In the Matter of MICHAEL FOSTER, ASHLEY
FOSTER, JOSHUA DOTMAN and SPENCER
CAMPBELL, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JODY FOSTER,

Respondent-Appellant,

and

UNPUBLISHED
November 6, 2001

No. 232419
Emmet Circuit Court
Family Division
LC No. 99-004435-NA

No. 232684
Emmet Circuit Court
Family Division
LC No. 99-004435-NA

WILLIAM CAMPBELL, ROBERT DOTMAN,
and JEFFREY ALLAN MILLER,

Respondents.

Before: Doctoroff, P.J., and Wilder and Schmucker*, JJ.

MEMORANDUM.

Respondents William Campbell (hereinafter “respondent-father”) and Jody Foster (hereinafter “respondent-mother”) appeal as of right from the trial court’s order terminating their parental rights to the minor children under MCL 712A.19b(3)(g), (j) and (k)(i).¹ We affirm.

We are not persuaded by respondents’ arguments that the trial court lacked jurisdiction. The record indicates that respondents’ home was unfit because of drug abuse and that there was a reasonable likelihood the children would be harmed if returned to their custody. There was a sufficient basis for the family court to assume jurisdiction. MCL 712A.2(2)(b)(1) and (2); *In re Toler*, 193 Mich App 474, 476; 484 NW2d 672 (1992).

Also, the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5,974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). There is no merit to respondent-father’s argument that termination was not warranted because he never had custody of his son. Contrary to respondent-father’s claim, he was not considered “fit” to have custody of his other child, who was placed in the custody of his mother. The record supports the family court’s conclusion that respondent-father’s home was not a safe place for the child, and that there was a reasonable likelihood that the child would be harmed if returned to his care.

Nor is there any merit to respondents’ claims that the family court erred in failing to discover and investigate the homes of relatives who could care for the children. Respondents’ only suggestion about relative placement came in respondent-mother’s last-minute justification for why she left Michigan immediately after the birth of her youngest child without informing the FIA. Moreover, the evidence presented at trial supports the conclusion that relative placement would have been emotionally detrimental to the children.

¹ The record indicates that the trial court terminated respondent-mother’s parental rights to all four children, and respondent-father’s parental rights to Spencer Campbell, under §§ 19b(3)(j) and (k)(i), and that respondent-mother’s parental rights to Ashley Foster, Joshua Dotman, and Michael Foster were also terminated under § 19b(3)(g).

* Circuit judge, sitting on the Court of Appeals by assignment.

Affirmed.

/s/ Martin M. Doctoroff

/s/ Kurtis T. Wilder

/s/ Chad C. Schmucker